

MICHIGAN CIVILIAN CONSERVATION CORPS ACT

Act 22 of 1984

AN ACT to establish the Michigan civilian conservation corps; to prescribe the powers and duties of certain state officers, agencies, and departments; to create and provide for the use of an endowment fund; and to provide for appropriations.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984;—Am. 1985, Act 30, Imd. Eff. June 6, 1985;—Am. 1994, Act 394, Imd. Eff. Dec. 29, 1994;—Am. 2007, Act 147, Imd. Eff. Dec. 10, 2007.

The People of the State of Michigan enact:

409.301 Short title.

Sec. 1. This act shall be known and may be cited as the “Michigan civilian conservation corps act”.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984;—Am. 1985, Act 30, Imd. Eff. June 6, 1985.

409.302 Definitions.

Sec. 2. As used in this act:

(a) “Chief” means the chief administrator of the Michigan civilian conservation corps appointed pursuant to section 4.

(b) “Commission” means the Michigan jobs commission or its successor agency.

(c) “Corps” means the Michigan civilian conservation corps.

(d) “Corpsmember” means a participant in the corps.

(e) “Department” means the department of natural resources.

(f) “Endowment fund” means the Michigan civilian conservation corps endowment fund created in section 12a.

(g) “Minority” means a person who is black, hispanic, oriental, eskimo, or an American Indian who is not less than 1/4 quantum Indian blood as certified by the person's tribal association and verified by the Indian affairs commission.

(h) “Recipient” means a city, village, county, township, school district, or intermediate school district of this state.

(i) “Resident” means an individual who has in this state the individual's true, fixed, and permanent home and principal establishment to which the individual intends to return whenever absent. An individual is a resident until the individual establishes a permanent establishment outside this state.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984;—Am. 1985, Act 30, Imd. Eff. June 6, 1985;—Am. 1994, Act 394, Imd. Eff. Dec. 29, 1994.

409.303 Michigan civilian conservation corps; establishment; purpose; grant program; duty of work training programs.

Sec. 3. (1) The Michigan civilian conservation corps is established jointly within the department and the commission for the purpose of conserving, improving, and developing this state's natural resources, and for enhancing, preserving, and maintaining public lands and waters through the employment of residents of this state in work training programs. The department may administer on a contractual basis a grant program that dispenses funds to recipients.

(2) The work training programs required by this section and section 5 shall provide work experience for certain residents of this state that will increase their likelihood of obtaining future employment.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984;—Am. 1985, Act 30, Imd. Eff. June 6, 1985;—Am. 1994, Act 394, Imd. Eff. Dec. 29, 1994.

409.304 Chief; appointment and duties.

Sec. 4. The governor by and with the advice and consent of the senate shall appoint a chief to administer the corps. The chief shall do all of the following:

(a) Recruit and employ corpsmembers who meet the requirements of section 6. The level of corpsmember participation and enrollment in fiscal year 1985-86 shall not exceed 500 corpsmembers. In fiscal year 1986-87 and thereafter the level of corpsmember participation and enrollment shall not exceed 850 corpsmembers.

(b) Select work training programs for the corps that meet the requirements of section 5.

(c) Execute employment contracts containing terms and conditions as are considered necessary and desirable for the employment of corpsmembers.

(d) Execute contracts with the federal government and recipients for the implementation of this act.

(e) Apply for and accept grants or contributions of funds, when appropriate, from any public or private source.

(f) Purchase, rent, or otherwise acquire or obtain necessary property, supplies, instruments, tools, and equipment necessary for the implementation of this act.

(g) Appoint supervisors, safety officers, and such medical and other personnel as he or she considers appropriate.

(h) Establish rules of conduct designed to maintain order and discipline in each corps program.

(i) Adopt guidelines, promulgate rules, and take any other action necessary to implement this act.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984;—Am. 1985, Act 30, Imd. Eff. June 6, 1985.

409.305 Work training programs; nature and content of work experience.

Sec. 5. (1) Work training programs conducted under this act shall provide corpsmembers with work experience related to the conservation, improvement, or development of natural resources and the enhancement, preservation, and maintenance of public lands and waters. Work experience may include, but is not limited to, all of the following:

(a) Planting, pruning, and cutting of trees.

(b) Development of lakes, ponds, and waterways to be used as hunting and fishing sites and for other recreational purposes.

(c) Wildlife habitat development.

(d) Urban parks and recreational site development.

(e) Trail development.

(f) Flood and drainage control programs, such as the cleaning and repair of ditches and streams.

(g) Prevention of shore and soil erosion.

(h) Highway and community beautification.

(i) Litter removal.

(j) Assistance in fire prevention and suppression.

(k) Assistance in times and places of natural disasters.

(l) Reclamation of strip-mined land.

(m) Insect and pest control.

(2) Work training programs shall be undertaken in both urban and rural areas and shall be selected on the basis of the environmental and natural resource benefits each offers, the opportunities for public use each offers, and the on the job training value of each.

(3) Work experience shall not include work on any project for removal or cleaning up of any toxic waste or other hazardous substance.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984.

409.306 Corpsmember; eligibility requirements; hiring priorities; mandatory hiring of certain eligible persons; notice of programs established; notice to employable recipients of general assistance and AFDC; effect of refusing employment.

Sec. 6. (1) A person is eligible to become a corpsmember if he or she:

(a) Is a resident of this state.

(b) Except for supervisors, is not less than 18 years of age and not more than 25 years of age on the date of application.

(c) Is not employed at the time of hire.

(d) Is not a son or daughter of an elected or appointed official of this state or of a city, village, county, township, school district, intermediate school district, or other governmental authority.

(e) If employed as a supervisor, was not on the department's or recipient's payroll within 30 days before being hired through a program established with funds received under this act unless he or she was promoted from a general corpsmember to a corps supervisor.

(2) If the number of persons applying for positions in a work training program established under this act exceeds the number of positions created, the chief shall give priority in hiring to recipients of general assistance and aid to families with dependent children. In hiring supervisors, the chief also shall give priority to qualified recipients of general assistance and aid to families with dependent children.

(3) The chief shall ensure that eligible minority persons, eligible persons who are members of households the heads of which are single, eligible persons with disabilities, and equal numbers of eligible males and females, to the extent that these persons apply for the program, are hired as corpsmembers.

(4) The chief shall notify the director of the department of social services of any work training program established under this act. The director of the department of social services shall take any action necessary to

notify all employable recipients of general assistance and aid to families with dependent children who are eligible under this act, who are not currently assigned to employment, training, or an educational program, of the work training programs established under this act.

(5) An employable recipient of general assistance or aid to families with dependent children who is eligible for employment under this act and who is not currently assigned to employment, training, or an educational program, who, without good cause, refuses an offer of employment under this act is subject to section 55a of the social welfare act, 1939 PA 280, MCL 400.55a.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984;—Am. 1985, Act 30, Imd. Eff. June 6, 1985;—Am. 1998, Act 71, Imd. Eff. May 4, 1998.

409.307 Duration of employment; compensation.

Sec. 7. (1) The department shall not employ a corpsmember for more than 1 year, except that not to exceed 25 of the supervisors may be employed for a total of not more than 18 months and a total of not more than 15 of the supervisors may be employed for a total of not more than 2 years.

(2) The department shall compensate a corpsmember, other than a supervisor, at the minimum wage established by law at the time of employment. A corpsmember who is a supervisor shall be paid a temporary supervisory wage not to exceed \$6.50 per hour.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984;—Am. 1989, Act 50, Imd. Eff. June 12, 1989.

409.308 Worker's disability compensation insurance.

Sec. 8. The department shall provide worker's disability compensation insurance for corpsmembers employed by the department, and recipients shall provide worker's disability compensation insurance for corpsmembers whom they employ as provided under the worker's disability compensation act of 1969, Act No. 317 of the Public Acts of 1969, being sections 418.101 to 418.941 of the Michigan Compiled Laws.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984.

409.309 Medical benefits.

Sec. 9. Corpsmembers who at the time of hire were receiving general assistance or aid to families with dependent children shall continue to receive, while they are corpsmembers, the medical benefits provided under the social welfare act, Act No. 280 of the Public Acts of 1939, being sections 400.1 to 400.121 of the Michigan Compiled Laws.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984;—Am. 1985, Act 30, Imd. Eff. June 6, 1985.

409.310 Corpsmembers as state employees.

Sec. 10. Corpsmembers shall not be considered state employees for purposes of membership in the state employees' retirement system.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984.

409.311 Employment assistance after participation in corps program; displacement of workers and impairment of contracts prohibited; work or labor disputes.

Sec. 11. (1) The corps shall assist corpsmembers in obtaining employment after their participation in a corps program.

(2) The corps shall ensure that conservation programs established under this act do not displace currently employed workers or impair existing contracts for service provided by other workers, and that no corpsmember is used in any manner in connection with a work or labor dispute.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984.

409.312 Residential and other facilities.

Sec. 12. The corps may establish residential facilities and such other facilities as the chief determines to be in the best interest of the corps.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984.

409.312a Michigan civilian conservation corps endowment fund; creation; disposition, investment, and credit of money and assets; money to remain in endowment fund; expenditure of interest and earnings; report on accounting of revenues and expenditures; surplus funds; restoration of revenue; submission of recommendations.

Sec. 12a. (1) The Michigan civilian conservation corps endowment fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the endowment

fund. The state treasurer shall direct the investment of the endowment fund. The state treasurer shall have the same authority to invest the assets of the endowment fund as is granted to an investment fiduciary under the public employee retirement system investment act, 1965 PA 314, MCL 38.1132 to 38.1140m. The state treasurer shall credit to the endowment fund interest and earnings from endowment fund investments.

(3) Money in the endowment fund at the close of the fiscal year shall remain in the endowment fund and shall not lapse to the general fund.

(4) The department, with the concurrence of the commission, shall expend only the interest and earnings of the endowment fund for the operation of the corps.

(5) The department shall annually prepare a report containing an accounting of revenues and expenditures from the endowment fund. This report shall identify the interest and earnings of the endowment fund from the previous year, the investment performance of the endowment fund during the previous year, and the total amount of appropriations from the endowment fund during the previous year. This report shall be provided to the senate and house of representatives appropriations committees and the standing committees of the senate and house of representatives with jurisdiction over issues pertaining to natural resources and the environment.

(6) For the state fiscal year ending September 30, 2007 only, surplus funds of \$20,000,000.00 in the endowment fund are hereby appropriated to the general fund.

(7) The department, in consultation with the commission, shall develop recommendations for restoring revenue to the endowment fund, including possible corporate sponsorship. By March 1, 2008, the department shall submit a report on its recommendations to the subcommittees of the senate and house appropriations committees with primary responsibility for appropriations to the department.

History: Add. 1994, Act 394, Imd. Eff. Dec. 29, 1994;—Am. 2002, Act 57, Eff. Sept. 21, 2002;—Am. 2007, Act 147, Imd. Eff. Dec. 10, 2007.

409.313 Annual appropriation.

Sec. 13. The legislature annually shall appropriate a sum sufficient to implement this act.

History: 1984, Act 22, Imd. Eff. Mar. 7, 1984.

409.314 Repealed. 1989, Act 50, Imd. Eff. June 12, 1989.

Compiler's note: The repealed section pertained to applicability of act.